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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference WBH/RME | | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416) | |
| International application No. PCT/GB 03/03777 | International filing date (day/month/year) 28.08.2003 | Priority date (day/month/year) 28.08.2002 | |
| International Patent Classification (IPC) or both national classification and IPC H04Q7/38 | | | |
| Applicant THE UNIVERSITY COURT OF THE UNIVERSITY OF ..et al. | | | |
| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p> | | | |
| <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p> | | | |
| Date of submission of the demand 02.02.2004 | | Date of completion of this report 15.10.2004 | |
| Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 | | Authorized Officer Schweitzer, J-C Telephone No. +49 89 2399-8963 | |



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB 03/03777

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-14 as originally filed

Claims, Numbers

1-12 as originally filed

Drawings, Sheets

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|--------|
| Novelty (N) | Yes: Claims | 1 - 12 |
| | No: Claims | |
| Inventive step (IS) | Yes: Claims | 1 - 12 |
| | No: Claims | |
| Industrial applicability (IA) | Yes: Claims | 1 - 12 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Concerning section V.2 (reasoned statement under Article 35(2) PCT)

Claim 1 relates to a method for operating a TDD-based wireless communications system. More specifically, claim 1 defines a method for establishing a Resource Metric Region (RMR) to be used as a parameter for the call admission decision on a call basis or a packet-length basis.

In accordance with the invention, the RMR is derived, at a base station, from a Resource Metric Mapping Function (RMMF), from both the mean value and standard deviation of the received signal-to-interference ratio (SIR) for all users and, finally, from estimates of channel load conditions and interference levels.

Such a RMR determination method permitting to provide a resource region in which QoS and acceptable link quality can be guaranteed is neither taught, nor rendered obvious, alone or in combination, by the prior art documents acknowledged in the description or cited in the International search report.

Claim 1 is therefore novel and considered to involve the required inventive step, Articles 33(2) and (3) PCT. The subject-matter of claim 1 is also industrially applicable.

The same applies to independent **claim 10** which defines a base station and corresponds, in structural terms, essentially to method claim 1. Claim 10, therefore, equally meets all the requirements of Article 33 PCT.

Dependent claims **2 to 9, 11 and 12** relate to further implementing details of the method or base station defined by the independent claims to which they refer and are thus equally novel, inventive and industrially applicable.

General remarks concerning the form and contents of the application:

For clarity reasons, in claims 1 and 10 and in the "Summary of the invention" part in the description on page 3, the expressions "Radio Resource Mapping Function" and "mean" should be amended to read "Resource Metric Mapping Function" and "mean value", respectively.